

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA

v.

FREEMAN STEVENSON, JR.

)
)
)
)
)
)
)

CR. NO. 2:06CR89-WKW

United States' Unopposed Motion to Continue Evidentiary Hearing

The United States respectfully moves the Court to grant a brief continuance of time before holding the evidentiary hearing in this matter, currently scheduled for Thursday, September 14, 2006. The United States requests this relief for the following reasons:

1. The assigned Assistant United States Attorney for this case, Todd Brown, is currently on military leave and will not return to his duties as an AUSA until on or after September 18, 2006. In his absence, Assistant United States Attorney Christopher Snyder has assumed his duties for this case.

2. Yesterday, September 5, 2006, the U.S. Attorney's Office for the Middle District of Alabama was informed that the Department of Justice's Criminal Division will be holding a Hurricane Katrina Fraud Task Force Conference in New Orleans, Louisiana to coincide with the first anniversary of the formation of the Task Force. The conference is set for September 13, 2006, and the presence of a representative from the Middle District is requested.

3. Currently, AUSA Snyder is the Middle District's primary contact for all Hurricane Katrina cases and has been mandated to attend this conference on behalf of the

Middle District. In order to provide sufficient travel time from Montgomery to New Orleans, AUSA Snyder will have to be out of the Middle District on the afternoon of September 12, 2006 and most of September 14, 2006.

4. AUSA Snyder is aware that when the Court schedules evidentiary hearings, it must consider, among other things, whether there is sufficient time to issue a report and sufficient time for the parties to perfect objections, if any, to the report (typically 20 days).¹ In light of this, the United States would request at most a continuance of one day, and should the Court so desire, it would be ready to proceed as soon as September 15, 2006.

5. AUSA Snyder has spoken with Mr. Stevenson's attorney, Anne Borelli, and she has advised that she has no objection to this continuance. Ms. Borelli has also advised that she is able to attend a rescheduled evidentiary hearing anytime between September 15, 2006 and September 22, 2006, except on September 21, 2006. The United States is likewise available during any of these dates, at the Court's convenience.

Based on the facts stated above, the United States respectfully requests that the Court grant a brief continuance of the evidentiary hearing in this matter.

¹ See generally Fed. R. Civ. P. 72 (discussing time frame for objections in civil cases).

Respectfully submitted this 6th day of September, 2006.

LEURA G. CANARY
UNITED STATES ATTORNEY

/s/ Christopher Snyder
CHRISTOPHER A. SNYDER
Assistant United States Attorney
One Court Square, Suite 201
Montgomery, AL 36104
Phone: (334)223-7280
Fax: (334)223-7135
E-mail: christopher.a.snyder@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on September 6, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following: Anne Borelli.

/s/ Christopher Snyder
CHRISTOPHER A. SNYDER
Assistant United States Attorney